



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. xli.

An Act for making a Railway from the *Llantrissant* Station of the *South Wales* Railway to *Penrhiwfer* in the Parish of *Llantrissant* in the County of *Glamorgan*, with Branches to *Glanmychydd* and *Mynydd Gellyrhaid*, both in the said Parish of *Llantrissant*. [13th July 1857.]

WHEREAS the making of a Railway from the *Llantrissant* Station of the *South Wales* Railway to *Penrhiwfer* in the County of *Glamorgan*, with Branch Railways to *Glanmychydd* and *Mynydd Gellyrhaid* in the said Parish of *Llantrissant*, would be of great public Advantage: And whereas the Persons herein-after named, with other Persons and Corporations, are willing, at their own Expense, to construct such Railways, with all necessary Works and Conveniences; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

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8 & 9 Vict.
cc. 16., 18.,
& 20. incor-
porated.

I. The Provisions of the following Acts of Parliament, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," (except such Parts thereof as are expressly varied by this Act) shall be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Ely Valley* Railway Act, 1857;" and in mentioning the proposed Railway for any Purpose whatsoever it shall be sufficient to use the Expression "The *Ely Valley* Railway."

Subscribers
incorporated.

III. The Right Honourable *Henry John* Earl *Talbot*, the Honourable *Charles John* *Talbot*, commonly called Viscount *Ingestre*, Sir *Ivor Bertie* *Guest* Baronet, *John Samuel*, *Henry Lewis*, and *Richard Fothergill*, Esquires, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking hereby authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways herein-after described, with proper Works and Conveniences belonging thereto, according to the Provisions of the herein-before mentioned Acts and of this Act; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Ely Valley* Railway Company," in this Act called "the Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have the Power to purchase and hold Lands for the Purposes of the said Undertaking, subject to the Restrictions herein and in the herein-before mentioned Acts contained.

Subscription
Contract entered
into previously to
last Session
valid.

IV. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Capital.

V. And whereas the estimated Cost of constructing the Works by this Act authorized is Seventy thousand Pounds: Be it enacted, That the Capital of the Company shall be Seventy thousand Pounds.

Number and
Amount of
Shares.

VI. The Number of Shares into which the Capital shall be divided shall be Seven thousand, and the Amount of each Share shall be Ten Pounds.

VII. Two

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VII. Two Pounds *per* Share shall be the greatest Amount of any Calls. One Call which the Company shall be authorized to make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in One Year on each Share.

VIII. The Company shall not, out of any Money by this Act authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, pay any Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Interest or Dividend not to be paid on Calls.

IX. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of the Company's Capital.

X. It shall be lawful for the Company at any Time, or from Time to Time, to borrow on Mortgage or Bond any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-three thousand Pounds: Provided always, that no Part of the said Sum of Twenty-three thousand Pounds shall be borrowed until the Sum of Seventy thousand Pounds shall have been subscribed for and One Half thereof paid up.

Power to borrow Money on Mortgage.

XI. All Moneys raised by the Company under the Powers of this Act shall be applied for the Purposes of this Act, and for no other Purpose whatsoever.

All Moneys raised to be applied for the Purposes of the Act.

XII. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; but in order to authorize the Appointment of such Receiver, in the event of the Principal Moneys due on such Mortgages not being duly paid, the Amount owing to the Creditors by whom such Application shall be made shall not be less than Five thousand Pounds in the whole.

Arrears may be enforced by the Appointment of a Receiver.

XIII. The

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Meetings of
the Com-
pany.

XIII. The First General Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August*, or such other Months as the Directors shall from Time to Time appoint.

Number and
Qualification
of Directors.

XIV. Subject to the Provisions herein contained for increasing or reducing the Number of the Directors, the Number of Directors shall be Ten; and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to
vary Num-
ber of Di-
rectors.

XV. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Six.

First Direc-
tors.

XVI. The Honourable *Charles John Talbot*, commonly called *Viscount Ingestre*, *Sir Ivor Bertie Guest* Baronet, *Nash Vaughan Edwards Vaughan*, *John Samuel*, *Henry Lewis*, *Richard Fothergill*, *Evan Prichard*, *Morgan Watkins Harris*, *Richard Bassett*, and *George Thomas Clark*, Esquires, shall be the First Directors of the Company.

Quorum of
Directors.

XVII. The Quorum of a Meeting of Directors shall be Three.

Election of
Directors at
First General
Meeting.

XVIII. The Directors appointed by this Act, or such of them as shall not die or resign or become disqualified to act, shall continue in Office until the First General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office such of the Directors appointed by this Act as they shall think fit, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent
Election of
Directors.

XIX. At the First Ordinary Meeting to be held every Year after the Year in which the First General Meeting shall be held, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in the Manner provided by "The Companies Clauses Consolidation Act, 1845."

XX. And

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XX. And whereas Plans and Sections of the intended Railways and Works, showing the Lines, Levels, and Situation thereof, and also Books of Reference to the Plans, containing the Names of the reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or be made, or which may be required for the Purposes of the Undertaking, were in the Month of *November* One thousand eight hundred and fifty-six deposited for public Inspection with the Clerk of the Peace for the County of *Glamorgan*: It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railways and Works herein-after described in the Lines and the Situation, and upon the Lands delineated on the said Plans, and described in the said Book of Reference, and according to the Levels defined on the said Section so respectively deposited as last aforesaid, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Power to make Railway according to deposited Plans.

XXI. It shall be lawful for the Company to make, complete, and maintain the Railway and Branch Railways herein-after mentioned, with all proper Approaches, Stations, and other Works and Conveniences connected therewith; (that is to say,) a Railway commencing by a Junction with the Main Line of the *South Wales* Railway at a Point thereon Ten Chains or thereabouts West of the Up Platform at the *Llantrissant* Station on that Railway, and which said Junction is in the Parish of *Llanharran* in the County of *Glamorgan*, and terminating at or near a Wood called "*Cloed Clyn Coch*," in the Parish of *Llantrissant* in the same County, and which said Wood belongs to *Henry Lewis* Esquire, and is in the Occupation of *Griffith Jenkins* of *Penrhiwfer*, and which said intended Railway will be made or pass from, through, or into, or be situate within the several Parishes, Townships, Extra-parochial or other Places following; (that is to say,) *Llanharran*, *Llantrissant*, *Llanilid*, *Miskin*, *Llantrissant* Town, *Castella*, *Gelliwyon*, and *Trane*, all in the County of *Glamorgan*; a Branch Railway or Tramway commencing by a Junction with such intended Railway in or near a Field called or known by the Name of *Cae Bont* in the Parish of *Llanharran* in the County of *Glamorgan*, and which Field belongs to *John Boyle* Esquire and *Charles Stuart* Esquire, as the Trustees of the Most Honourable the Marquis of *Bute*, and is in the Occupation of *Thomas Davies* of *Ynys Maerdy*, and terminating in or near a Field called or known by the Name of *Tair Erw* in the said Parish of *Llantrissant* and County of *Glamorgan*, and which said Field belongs to the Right Honourable *Henry John* Earl *Talbot*, and is in the Occupation of *Richard Ellice* of *Glanmychudd*, and which said intended Branch Railway or Tramway is situate within the Parish of *Llanharran* in

Description of Railways.

[*Local.*]

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the said County of *Glamorgan*, or One of them; also a Branch Railway or Tramway commencing by a Junction with such intended Railway in or near a Field called or known by the Name of *Yr Waun* in the said Parish of *Llantrissant* in the County of *Glamorgan*, and which said Field belongs to Mrs. *Crisley Cozens*, and is in the Occupation of *Thomas Griffith* of *Tylca Wen* in the same Parish, and terminating in or near a Piece of inclosed Land called or known by the Name of *Mynydd Gellyrhaidd*, otherwise *Mynydd Gelli-yr-haidd*, in the said Parish of *Llantrissant*, and which said Piece of Land belongs to Sir *Ivor Bertie Guest* Baronet and *John Samuel* Esquire, and is in the Occupation of *Isaac Williams* of *Gelly-r-haidd Uchaf* in the same Parish, and *Abraham Lloyd* and *Thomas Lloyd* of *Gelly-r-haidd Isaf*, also in the same Parish, and which said last-mentioned intended Branch Railway or Tramway is wholly situate within the said Parish of *Llantrissant* in the County of *Glamorgan*.

Gauge of
Railway.

XXII. The Railways by this Act authorized, and all the Stations, Sidings, Works, and Conveniences connected therewith, shall be constructed and completed of such Gauge and according to such Mode of Construction as shall admit of the same being worked and used upon the Gauge of Seven Feet, and continuously with the *South Wales* Railway and the *Great Western* Railway.

Level
Crossings.

XXIII. Subject to the Provisions in this Act, and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railways authorized by this Act, to carry the same by Two Lines of Railway over, across, and upon the Level of the several public Carriageroads numbered on the Plans deposited as aforesaid as follows; that is to say,

The Road numbered 51 in the Parish of *Llanharran* :

The Roads numbered respectively 196, 217, and 238, in the Parish of *Llantrissant*; and it shall be lawful to alter the Level of the said Road numbered 51, and to make the Inclination thereof One in Nine.

Station or
Lodge to be
erected at
Points of
level Cross-
ings.

XXIV. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railways cross the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made

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made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Stations or Lodges, or appoint a proper Person to watch or superintend the crossing at such Points or Stations, or to observe or abide by any such Rules or Regulations as aforesaid, they shall, for every such Offence, be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

XXV. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry either of the said Roads either under or over the Railway by means of a Bridge or Arch in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing.

Board of Trade may require Bridges in lieu of level Crossings.

XXVI. The Junction with the *South Wales* Railway shall be made at such Points within the Limits of Deviation defined on the said deposited Plans as shall be approved by the Engineer for the Time being of the *South Wales* Railway Company; and all Openings in the Ledges or Flanches of the said Railway, and all other Works which may be required for effecting such Junction, shall be made under the Direction and Superintendence of and in such Manner as may be approved by such Engineer.

Communication with the *South Wales* Railway.

XXVII. Nothing in this Act shall authorize or enable the Company to take or enter upon any Land or Property belonging to the *South Wales* Railway Company, further or otherwise than is hereby expressly authorized, or to alter, vary, or interfere with the *South Wales* Railway, or any of the Works thereof, without the Consent in Writing of the *South Wales* Railway Company in every Instance for that Purpose first had and obtained.

Not to take Lands, &c. of *South Wales* Railway Company without Consent.

XXVIII. Nothing in this Act shall prejudice, diminish, alter, or take away, further or otherwise than is expressly done, any of the Powers or Authorities vested in the *South Wales* Railway Company.

Saving Rights of the *South Wales* Railway Company.

XXIX. The Quantity of Land to be purchased by the Company for extraordinary Purposes mentioned in the said "Railways Clauses Consolidation Act, 1845," shall not exceed Five Acres.

Lands for extraordinary Purposes.

XXX. The

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Period for compulsory Purchases limited.

XXX. The Powers of the Company for the compulsory Purchase of Land for the Purposes of the Railway shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Railway.

XXXI. The Railways hereby authorized shall be completed within Three Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the herein-before mentioned Acts granted to the Company for executing the said Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railways as shall then be completed.

Security for Completion of Railway within the Time limited.

XXXII. Whereas, pursuant to the Standing Orders of both Houses of Parliament and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Five thousand two hundred and fifty Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That notwithstanding anything contained in the said recited Act, the Sum of Five thousand two hundred and fifty Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railways hereby authorized to be made, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain*

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Britain and Ireland: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Five thousand two hundred and fifty Pounds shall have been executed by the Company, with One or more Sureties, such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury, conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Five thousand two hundred and fifty Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid or the Survivors or Survivor of them; and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid, and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XXXIII. It shall be lawful for the Company to demand any Tolls Tolls.
for the Use of the Railway not exceeding the following; (that is to say,)

1. In respect of the Tonnage of Articles conveyed upon the Rail- Tonnage on
Articles of
Merchan-
dise.
way or any Part thereof, as follows:

For all Sorts of Manure, and all undressed Materials for the Repair of Highways, and for all Coals, Culm, Ironstone, and Iron Ore, *per Ton per Mile* not exceeding One Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Eighth of a Penny:

For all Coke, Charcoal, Pitwood, Limestone, Stones for Buildings, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, *per*
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Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Eighth of a Penny:

For all Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandise), *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company an additional Sum *per* Ton *per* Mile not exceeding One Eighth of a Penny:

For all Goods, Wares, Merchandise, Matters, or Things (for which no other Payment is herein imposed), *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence:

And a Sum not exceeding One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for
Passengers
and Animals.

XXXIV. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding Three Halfpence:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for
propelling
Power.

XXXV. The Company may demand for the Use of Steam Engines or other moving Power, when provided by them for propelling Carriages, any Tolls not exceeding the following; (that is to say,)

For each Passenger or Animal, One Penny *per* Mile; for Coals, Culm, Coke, Ironstone and Iron Ore, and for Iron, Lead, Tin and Tin Plates (except Nails, Utensils, or other Articles of Merchandise),

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Merchandise), Three Eighths of a Penny *per Ton per Mile*; and for other Goods, One Halfpenny *per Ton per Mile*.

XXXVI. The following Provisions and Regulations shall be applicable to the fixing of such Tolls; that is to say, Regulations
as to the
Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles the Company may demand and receive the afore-mentioned Rates, Tolls, and Charges for Conveyance, as the Case may be, for Three Miles:

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction; and if there be a Fraction of a Quarter of a Ton, such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

XXXVII. And with respect to small Packages and single Articles of great Weight, the Company may lawfully demand the Tolls following; (that is to say,) Tolls for
small Par-
cels and
Articles
of great
Weight.

For the Carriage (over the whole or any Part of the Line) of small Parcels not exceeding Seven Pounds in Weight, Three-pence:

For any Parcel exceeding Seven Pounds, but not exceeding Fourteen Pounds in Weight, Sixpence:

For any Parcel exceeding Fourteen Pounds, but not exceeding Twenty-eight Pounds in Weight, Eightpence:

For any Parcel exceeding Twenty-eight Pounds, but not exceeding Fifty-six Pounds in Weight, One Shilling:

For Parcels exceeding Fifty-six Pounds the Company may demand any Sum which they think fit: Provided always, that Articles sent in aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For

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For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or any other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they from Time to Time may think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, or which, on account of the Length thereof, may require more than One Carriage, the Company may demand such Sum as they think fit.

Passengers
Luggage.

XXXVIII. Any Person travelling upon the Railway of the Company may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum
Charges for
Cattle and
Goods.

XXXIX. With respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and of Waggons or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, shall not exceed the Sums following; (that is to say,)

For all Sorts of Manure, and all undressed Materials for the Repair of Highways, and for all Coals, Culm, Ironstone, and Iron Ore, *per Ton per Mile*, One Penny:

For all Coke, Charcoal, Pitwood, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, One Penny Halfpenny *per Ton per Mile*:

For all Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandise), One Penny Halfpenny *per Ton per Mile*:

For all Goods, Wares, or Merchandise, Matters, or Things (for which no other Payment is herein imposed), Threepence *per Ton per Mile*:

For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence, and not exceeding One Penny Halfpenny for every additional Quarter of a Ton which such Carriage may weigh:

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For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile, not exceeding Fivepence :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile, not exceeding Fourpence :

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile, not exceeding Twopence.

XL. Provided always, That the maximum Rate of Charges to be made by the Company for the Conveyance of Passengers, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums ; to wit,

Maximum Charges for Passengers.

For every Passenger conveyed in a First-class Carriage, Three-pence *per* Mile :

For every Passenger conveyed in a Second-class Carriage, Twopence *per* Mile :

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per* Mile.

XLI. The Restriction as to the Rate of Charges shall not extend to any Special Train required to be run upon the Railway, but shall apply only to the Express and Ordinary Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Restriction as to Rates not to apply to Special Trains.

XLII. The Company may, notwithstanding anything in this Act contained, take by Agreement with the Owner or Person in charge of any Goods or Animals, for the Conveyance thereof (other than small Parcels) by Passenger Trains, or for the Conveyance of small Parcels by Express Trains, or by reason of any other special Service performed by the Company in relation thereto, any increased Charges above the Charges by this Act limited or authorized with respect to such Goods, Animals, and small Parcels respectively.

Power to charge extra for Animals or Goods by Agreement.

XLIII. Nothing herein contained shall be deemed or construed to exempt the Company or the Railways by this Act authorized to be made from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revisions and Alterations, under the Authority of Parliament, of the maximum Rates of Fares and Charges or the Rates for small Parcels authorized by this Act.

Railway not exempt from Provisions of present and future General Acts.

[*Local.*]

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XLIV. The

The Ely Valley Railway Act, 1857.

Expenses of
Act.

XLIV. The Expenses and Charges attending or incident to the applying for and obtaining this Act shall be paid by the Company.

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